

Attorney Docket 920476-904819(1928)

BARNES & THORNBURG

P.O. Box 2786
Chicago, IL 60690-2786
FACSIMILE TRANSMISSION
TO: (703) 746-7239

#6
83001
3/4/04
RECEIVED
CENTRAL FAX CENTER

MAR 03 2004

OFFICIAL

DATE: March 1, 2004

TOTAL NUMBER OF PAGES INCLUDING COVER PAGE: 3

TO: HONORABLE DIRECTOR OF PATENTS AND TRADEMARKS

EXAMINER: Mehmet B. Geckil

GROUP ART UNIT: 2142

ATTN

MAIL STOP Responses No Fee

Attached: Response to Office Action Mailed January 30, 2004

If you do not receive all pages, please contact William M. Lee, Jr. at (312) 214-4800 or his assistant, Kathy at (312) 214-4831.

Certificate of Transmission

I hereby certify that this paper for Serial No. 09/605,237 is being facsimile transmitted to the Patent and Trademark Office, Mail Stop Responses No Fee, Fax Number (703) 746-7239 on the date shown below.

Kathy Kurek

Name of Person Signing

Kathy Kurek
Signature

March 1, 2004

Docket No. 920476-904819

**IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE**

RECEIVED
CENTRAL FAX CENTER

MAR 03 2004

In the application of : Roy Mauger et al
Serial No. : 09/805,237
Filed : June 28, 2000
For : Communications Network
Examiner : Mehmet B Geckil
Art Unit : 2142

OFFICIAL

I hereby certify that this correspondence is being
transmitted to the above - identified examiner at the
United States Patent and Trademark Office 1-703-746-
7239 on March 1, 2004, February 29 being a Sunday.
Name of person signing: Kathy Kurek
Signature Kathy Kurek

RESPONSE TO OFFICE ACTION MAILED JANUARY 30, 2004

Honorable Director of Patents and Trademarks
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir,

In response to the Office Action mailed January 30, 2004 requiring restriction
between claims 1 to 8 and 9 to 25, Applicants provisionally elect claims 9 to 25
for examination.

However, the Restriction Requirement is traversed for the following reasons:-

The Examiner argues that claims 1 to 8 are drawn to virtual private network
particulars of label switched networking including implicit switching, and

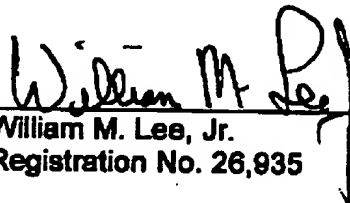
concatenation particulars. The Examiner classifies this subject matter into claim 709, subclass 238. However, the Examiner will see that claims 1 to 8 are actually directed to "a method of routing an information packet over a label switched path between first and second end stations in a virtual private network defined over a communications network arrangement". Thus, the Examiner will see that claims 1 to 8 are not drawn to virtual private network particulars, but to a method of routing in a virtual private network. Thus, Applicants submit that claims 1 to 8 are more properly classified in class 370, subclasses 352 and 392, along with claims 9 to 25.

Accordingly, Applicants submit that the invention as defined by claims 1 to 8 has not attained recognition in the art as a separate subject for inventive effort and no reasons exist for requiring restriction. Furthermore, Applicants submit that examining all the claims of the present invention would place no undue burden on the Examiner.

Accordingly, it is respectfully requested that the restriction requirement be withdrawn, and examination of all claims proceed.

Respectfully submitted,

Date: March 04, 2004


 William M. Lee, Jr.
 Registration No. 26,935

Barnes & Thornburg
 PO Box 2786
 Chicago IL 60690-2786
 (312) 357-1313 Telephone
 (312) 758-5646 Facsimile
 (312) 214-4800 Direct